

**TOWN OF ELSMERE
PLANNING COMMISSION
MEETING MINUTES
May 4, 2010
6:30 P.M.**

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

ROLL CALL:

Commissioner Lindell – Present
Commissioner Sheldon – Present
Commissioner Smith – Absent
Commissioner Swain – Present
Commissioner Acton – Present
Commissioner Russo - Absent
Chairman Backer – Present

PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Approval of the Minutes from the February 2, 2010 Planning Commission Meeting

ACTION: A motion was made by Commissioner Swain to approve the minutes of the February 2, 2010 Planning Commission Meeting. The motion was seconded by Commissioner Sheldon.

VOTE: All in favor VOTE: 5-0 with 2 absent Motion Carried

Approval of the Minutes from the March 2, 2010 Planning Commission Meeting

ACTION: A motion was made by Commissioner Swain to approve the minutes of the March 2, 2010 Planning Commission Meeting. The motion was seconded by Commissioner Sheldon.

VOTE: All in favor VOTE: 5-0 with 2 absent Motion Carried

OLD BUSINESS:

None

NEW BUSINESS:

Review of Petition 10-03 & 10-04 Tax Parcel Number 1900.500.072

Louis Pritzker represented this application on behalf of Hawkins and Sons. He presented several exhibits to the commission showing the proposal and asked if any of the commissioners had any questions regarding these petitions.

Code Enforcement Officer Brian Swift notified the Planning Commission that this petition has gone through a backwards procedure where it has already been approved by the Mayor and Council since it involves Town land pending the approval of the Planning Commission or Board of Adjustment. Also it has been approved by the state legislature where it was written into the 2009-2010 State Budget to allow the sale of this property, which must occur by July 1, 2010 or the state will no longer allow this sale. Because of this the Planning Commission must make their recommendation tonight.

Mr. Pritzker also presented the variances that are required, although the conditionals already exist.

Commissioner Lindell clarified with the applicant that even if the Planning Commission recommends denial they could still get approval at the Board of Adjustment. He also stated that the conditions which are requesting variances do currently exist and would not change with the addition.

Commissioner Swain questioned why three of the spaces are shown as being off of the property.

Mr. Jack Zebley stated that the parking lot was existing when the state widened Dupont Road therefore the portions of these spaces are now in the right-of-way.

ACTION: A motion was made by Commissioner Sheldon to approve Petition 10-03 requesting a subdivision. The motion was seconded by Commissioner Acton.

VOTE: All in favor **VOTE:** 5-0 with 2 absent Motion Carried

At this time Commissioner Russo joined the meeting and stated that he has received and reviewed the materials and has no questions and is comfortable voting on the second petition.

ACTION: A motion was made by Commissioner Lindell to approve petition 10-04 requesting a series of variances for a non-conforming use. The motion was seconded by Commissioner Sheldon.

VOTE: All in favor **VOTE:** 6-0 with 1 absent Motion Carried

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:

None

PUBLIC COMMENT:

None

ADJOURNMENT:

ACTION: A motion was made by Commissioner Swain to adjourn. The motion was seconded by Commissioner Russo.

VOTE: All in favor VOTE: 6-0 with 1 absent Motion Carried

At this time the meeting was adjourned.

These minutes summarize the agenda items and other issues discussed at the May 4, 2010 Planning Commission Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tape(s) may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

LEON BACKER, CHAIRMAN

CHARLES LINDELL, SECRETARY